

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 4:06CR19-P-B**

**DIANE GRACE SIMPSON**

**ORDER**

This cause is before the Court on defendant Simpson's Motion to Continue [12]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for April 3, 2006. Counsel for defendant Simpson seeks a continuance in order to more fully investigate concerns related to the defendant's mental health and her competency to stand trial. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from April 3, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant additional time to investigate the issues related to defendant's competency. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

**IT IS, THEREFORE, ORDERED AND ADJUDGED that**

1. The Motion to Continue Trial Setting [12] is GRANTED;
2. That the trial of this matter is continued until Monday, May 22, 2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from April 3, 2006 until May 22, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is May 1, 2006;
5. That the deadline for submitting a plea agreement is May 8, 2006.

SO ORDERED, this the 29<sup>th</sup> day of March, 2006.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE